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*Attorneys for Debtors and Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**In re:**

**PG&E CORPORATION,**

**- and -**

**PACIFIC GAS AND ELECTRIC  
COMPANY,**

**Debtors.**

- ☐ Affects PG&E Corporation  
☐ Affects Pacific Gas and Electric Company  
☒ Affects both Debtors

*\* All papers shall be filed in the Lead Case,  
No. 19-30088 (DM).*

Bankruptcy Case No. 19-30088 (DM)  
Chapter 11  
(Lead Case)  
(Jointly Administered)

**JOINDER OF THE DEBTORS TO  
OMNIBUS OBJECTION OF THE  
OFFICIAL COMMITTEE OF TORT  
CLAIMANTS (SUBSTANTIVE) TO  
CLAIMS FILED BY CALIFORNIA  
GOVERNOR'S OFFICE OF  
EMERGENCY SERVICES (CLAIMS NOS.  
87748, 87754 & 87755)**

Date: February 26, 2020  
Time: 10:00 a.m. PST  
Place: United States Bankruptcy Court  
Courtroom 17, 16th Floor  
San Francisco, CA 94102

Re: Docket Nos. 5096, 5320

PG&E Corporation (“**PG&E Corp.**”) and Pacific Gas and Electric Company (the “**Utility**”), as debtors and debtors in possession (collectively, “**PG&E**” or the “**Debtors**”) in the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”), hereby support and join the following objections filed by the Official Committee of Tort Claimants (the “**TCC**”) to the extent described below: (i) *Omnibus Objection of the Official Committee of Tort Claimants (Substantive) to Claims Filed by California Governor’s Office of Emergency Services (Claim Nos. 87748, 87754 & 87755)* [Dkt. No. 5096] (the “**TCC Cal OES Objection**”); and (ii) *Supplement to Omnibus Objection of the Official Committee of Tort Claimants (Substantive) to Claims Filed by California Governor’s Office of Emergency Services (Claim Nos. 87748, 87754 & 87755)* [Dkt. No. 5320] (the “**TCC Supplemental Cal OES Objection**” and together with the TCC Cal OES Objection, the “**Objection**”).

### **JOINDER**

The Debtors, as the party against whom the California Governor’s Office of Emergency Services (“**Cal OES**”) has asserted claims, respectfully request that the Court enter an order disallowing and expunging the Cal OES claims identified in the Objection. As set forth in the Objection, the free public services doctrine precludes recovery for Cal OES’s damages in tort. (TCC Cal OES Objection at 12-16.) Accordingly, Cal OES can only recover the damages it asserts to the extent expressly provided for by statute. (*Id.*) As also set forth in the Objection, not one of the statutes cited by Cal OES (*e.g.*, sections 4421 and 4422 of the California Public Resources Code) provides any such express authorization. (*Id.* at 16-20.) The Debtors expressly reserve all rights concerning any and all further objections against claims by Cal OES and any state, federal or local public entity.

In joining the arguments identified in the preceding paragraph, the Debtors do not adopt any of the other arguments or factual assertions set forth in the Objection, including, but not limited to, the assertions regarding the Debtors’ legal liability with respect to the wildfires at issue in these Chapter 11 Cases. The Debtors reserve all rights to be heard before the Court in connection with the Objection (and any joinders thereto); to amend, supplement, or otherwise modify this Joinder prior to

1 or during the preliminary hearing on the Objection; and to assert such other and further objections to  
2 any and all wildfire claims prior to the final adjudication of the matter.

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4 Dated: February 11, 2020

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6 **WEIL, GOTSHAL & MANGES LLP**  
7 **CRAVATH, SWAINE & MOORE LLP**  
8 **KELLER & BENVENUTTI LLP**

9 /s/ Paul H. Zumbro

10 *Attorneys for Debtors and Debtors in Possession*  
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